

BOOK

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BILL NO. **79-62**

COUNTY COUNCIL

AS AMENDED

OF

HARFORD COUNTY, MARYLAND

BILL NO. 79-62 (AS AMENDED)Introduced by Council Members Risacher & SpryLegislative Day No. 79-31Date: November 13, 1979

AN ACT to add new Article XV, heading, Fiscal Impact Notes, to Chapter 2, heading, Administration, of the Harford County Code, as amended; to provide that all legislation, resolutions, and executive orders introduced shall be accompanied by a fiscal impact note detailing the effect they will have on the fiscal operations of the County; to provide certain conditions of waiver; to provide that requested zoning cases, amendments to the Master Plan, and community development projects be accompanied by a Planning and Zoning fiscal impact note detailing the impact these zoning related matters will have on the County.

By the Council, November 13, 1979

Introduced, read first time, ordered posted and public hearing scheduled

on: December 11, 1979at: 7:00 P.M.By Order: Angela Markowski, Secretary

## PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on December 11, 1979 and concluded on December 11, 1979.

Angela Markowski, SecretaryBILL NO. **79-62**  
AS AMENDED

1 Section 1. *Be It Enacted By The County Council of Harford*  
2 *County, Maryland*, that new Article XV, heading, Fiscal Impact  
3 Notes, be, and it is hereby added to Chapter 2, heading, Adminis-  
4 tration, of the Harford County Code, as amended, all to read as  
5 follows:

6 CHAPTER 2. ADMINISTRATION.

7 ARTICLE XV. FISCAL IMPACT NOTES.

8 Section 2-280. Note Required - County Operations.

9 (a) Any bill, resolution or executive order introduced,  
10 shall have accompanying it a fiscal impact note unless otherwise  
11 exempt. A fiscal impact note shall contain the appropriate  
12 information as required in Section 2-285 of this Article. The  
13 fiscal impact note shall be made available and be attached to a  
14 bill one (1) week prior to the scheduled public hearing date. A  
15 fiscal impact note shall be made available and be attached to a  
16 resolution or executive order at the time it is introduced.

17 Section 2-281. Yearly Impact Report.

18 The fiscal impact note shall represent the impact for the  
19 first year, and a projected impact for the next three (3) con-  
20 secutive years.

21 Section 2-282. Treasurer to Prepare Impact Notes.

22 The fiscal impact note required by Subsection (a) of Section  
23 2-280 shall be prepared by and certified by the Treasurer of  
24 Harford County on forms that shall be prepared by the Executive  
25 Branch. All County departments, agencies, boards and commissions  
26 shall extend their cooperation in supplying data to the Treasurer.  
27 The Treasurer of Harford County shall send a request for fiscal  
28 information to the involved County agency department, board or  
29 commission, requesting a return within five (5) business days  
30 FROM DATE RECEIVED. The Treasurer shall complete and send to  
31 the County Council Office the fiscal impact note one (1) week  
32 prior to the scheduled public hearing ON THE BILL AND MAKE

1 AVAILABLE TO THE COUNCIL OFFICE A FISCAL IMPACT NOTE FOR THE  
2 APPROPRIATE RESOLUTION OR EXECUTIVE ORDER PRIOR TO THE SCHEDULED  
3 INTRODUCTION.

4 Section 2-283. Filing of Notes with Council Office.

5 The County Council Office shall make available to the  
6 public a copy of any fiscal impact note at an appropriate repro-  
7 duction cost.

8 Section 2-284. Waiver.

9 These may be a waiver from the provisions of this Article  
10 for the following reasons:

11 (a) Upon a written statement from the Treasurer that  
12 a bill, resolution or executive order has no effect upon the  
13 revenues or expenditures of the County; or

14 (b) Any bill introduced, pursuant to Article V,  
15 heading, Budget and Finance, of the Charter of Harford County.  
16 However, the bill will have attached to it a summary of the  
17 information provided; or

18 (c) The County Council at the time of introduction, by  
19 a majority vote, may allow an exemption from the provisions of  
20 this Article upon request by any Council Member after careful  
21 consideration of the subject matter and the reasons stated by the  
22 Council Member requesting the exemption as to why a fiscal impact  
23 note is not necessary.

24 Section 2-285. Contents of Notes.

25 (a) Any bill, resolution or executive order that affects  
26 the annual budget of Harford County shall contain the following  
27 information:

28 (1) Expenditures. The number and types of personnel  
29 required (including hiring) and to which organizational element  
30 assigned; salaries and wages; retirement and insurance; operating  
31 expenses; capital outlay (including items and cost); sources of  
32 funds, and if other than County, the duration of grants or aid

1 involved; monies to be appropriated currently; and annual oper-  
2 ating cost; and

3 (II) Revenues; the annual anticipated gain or loss of  
4 revenues to the County including the loss of revenues from tax  
5 credits when applicable.

6 (b) Any bill, resolution or executive order that affects  
7 the Capital Program and Budget of Harford County shall contain  
8 the following information in addition to any other information:

9 (1) Cost for planning, supervision and design; land;  
10 site improvements and utilities; construction; furniture and  
11 equipment; expenditure schedule; appropriation request; any  
12 monies previously appropriated; source of funds; and the cost any  
13 proposed new capital facility will have on the operating budget.  
14 Section 2-286. Planning and Zoning Fiscal Impact Note.

15 (a) Any member of the County Council, BOARD OF APPEALS or  
16 Hearing Examiners may request a fiscal impact note on any of the  
17 following planning and zoning related matters:

18 (i) Any zoning change;

19 (ii) Any amendment to the Master Plan;

20 (iii) Any proposed community development project.

21 The request by the Council Member, A MEMBER OF THE BOARD OF  
22 APPEALS or Hearing Examiner must be made at an appropriate time  
23 to allow the Department of Planning and Zoning at least four (4)  
24 weeks to prepare and make available the fiscal impact note.

25 (b) The note shall contain:

26 (1) The net fiscal impact the zoning change, amendment  
27 to the Master Plan or the community development project may have  
28 on Harford County based on the following information:

29 (i) The projected population; type of development;  
30 number of units; number of acres; type of services and facilities  
31 necessary; expenditures necessary to provide services and facili-  
32 ties.

1 (ii) The total revenue and expected tax base to  
2 be generated by the proposal.

3 (ii) THE TOTAL NET REVENUE (REVENUE EXPECTED,  
4 LESS OPERATING AND CAPITAL EXPENSES NECESSARY) AND THE INCREASE  
5 ASSESSABLE TAX BASE (ASSESSED VALUE OF PROPERTY TIMES TAX RATE)  
6 TO BE GENERATED BY THE PROPOSAL.

7 (iii) An estimate of the total annual projected  
8 net fiscal impact.

9 (2) If the proposed change is outside the ten (10)  
10 year water and sewer service area, the impact of any change in  
11 the number of dwelling units as it relates to the public utility  
12 system, will be evaluated.

13 (c) The above information may be adjusted by such variables  
14 as deemed necessary, however, such variables must be noted on the  
15 impact note.

16 (d) The fiscal impact note shall represent the impact for  
17 the first year and a projected impact for the next three (3)  
18 consecutive years.

19 Section 2. *And Be It Further Enacted*, that if any section,  
20 clause, phrase, word, provision or particular application of this  
21 Act is for any reason held invalid or unconstitutional by any  
22 court of competent jurisdiction, such section, clause, phrase,  
23 word, provision or particular application shall be deemed a  
24 separate, distinct and independent provision or application and  
25 such holding shall not affect the validity of the remaining  
26 provision or subsequent application thereof.

27 Section 3. *And Be It Further Enacted*, that this Act shall take  
28 effect sixty (60) calendar days from the date it becomes law.

29 EFFECTIVE: March 10, 1980  
30  
31  
32

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BY THE COUNCIL

Read the third time.

Passed LSD 80-1 (January 8, 1980) (with amendments)

~~FAILED BY COUNCIL~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 9th day of January, 1980  
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

Thomas J. Garrange  
County ExecutiveDate January 10, 1980

BY THE COUNCIL

This Bill, having been approved by the Executive and  
returned to the Council, becomes law on January 10, 1980.

Angela Markowski, Secretary

Rec'd & Recorded 4/7 1980 at 2:37 P.M.  
HPC Liber 5 Folio 56 & examined per  
H. Douglas Chilcoat, Clerk, Harford Co.

EFFECTIVE DATE: March 10, 1980